

**8TH NATIONAL ASSEMBLY
FOURTH SESSION
NO.57**



Committee on Tertiary Institutions and TetFund

**REPORT OF THE COMMITTEE ON A BILL FOR AN
ACT TO ESTABLISH THE FEDERAL COLLEGE OF
FORESTRY TECHNOLOGY AND RESEARCH,
AKAMKPA 2018.**

(SB. 707)

May, 2019

REPORT OF THE COMMITTEE ON A BILL FOR AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE FEDERAL COLLEGE OF FORESTRY TECHNOLOGY AND RESEARCH, AKAMKPA, CROSS RIVER STATE, 2018 (SB. 707).

INTRODUCTION:

Mr. President you may wish to recall that the Senate at its sitting on Wednesday, 17th April, 2019 referred the above Bill sponsored by Senator Gershom Bassey to the Committee for further legislative input. The Bill seeks to establish the Federal College of Forestry Technology and Research, Akamkpa, Cross River State. The Committee held a Public Hearing on Tuesday, 21st May, 2019 to get public and stakeholders input.

The Committee as well as the participants agreed with the intentions of the Bill. Participants were all in agreement that the establishment of Federal College of Forestry Technology and Research, Akamkpa will make a vital use of the rich biodiversity of the rain forest ecosystem in Akamkpa for research.

COMMITTEE'S FINDINGS:

The location of the College in Akamkpa is within the boundaries of the famous Cross River National Park. The Cross River National Park is about 4,000 square kilometres of the 7,000 square kilometres of the tropical rain forest in Cross River State

The forest in Akamkpa harbours 40 percent of Africa's richest closed-Canopy tropical rain forest in Africa and it is home of the wide range of rare species of animals and plants.

The establishment of Federal College of Forestry Technology and Research, Akamkpa will ensure that people are equipped with skills and knowledge needed for

sustainable development and management of the forest resources and also serve as proper base for research work.

The Federal College of Forestry Technology and Research, Akamkpa Bill is divided into 29 Sections and 1 Schedule.

COMMITTEE'S RECOMMENDATIONS:

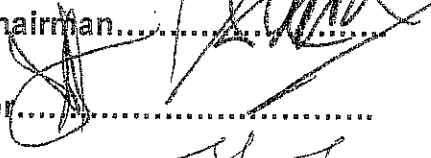
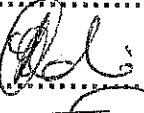
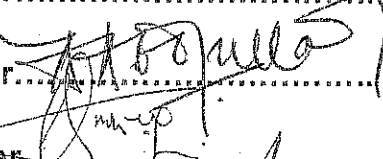
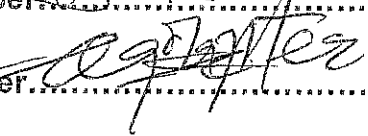
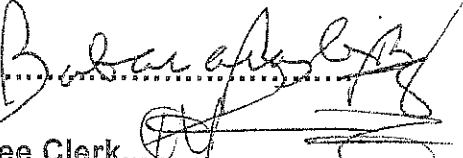
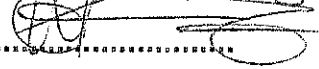
The Committee recommends as follows

- (i) Sections 1 – 28 should be retained as in the bill
- (ii) The Long and Short Titles of the bill should be retained and
- (iii) The Schedule of the bill should be retained

CONCLUSION:

The Committee recommends that the Senate of the Federal Republic of Nigeria do approve its recommendations accordingly. The Committee wishes to express its profound gratitude to the entire Senate for its usual support.

SIGNATURE

1. Sen. Barau I. Jibrin	-	Chairman.....	
2. Sen. Tijjani Yahaya Kaura	-	Vice Chairman.....	
3. Sen. Emmanuel Bwacha CON	-	Member.....	
4. Sen. Muhammed Ubali Shitu	-	Member.....	
5. Sen. Tinubu Oluremi Shade	-	Member.....	
6. Sen. Omogunwa O. Yale	-	Member.....	
7. Sen. Clifford Ordia	-	Member.....	
8. Sen. John Owan Enoh	-	Member.....	
9. Sen. Samuel O. Egwu	-	Member.....	
10. Sen. Abaribe E. Harcourt	-	Member.....	
11. Sen. Joshua Chibi Dariye (JP) FCA-	-	Member.....	
12. Sen. Danjuma Goje	-	Member.....	
13. Sen. Aliyu M. Wamakko	-	Member.....	
14. Sen. Shaaba Lafiagi	-	Member.....	
15. Sen. Suleiman Nazif	-	Member.....	
16. Sen. Kabiru Gaya	-	Member.....	
17. Sen. Yahaya A. Abdullahi	-	Member.....	
18. Sen. Binta Masi Garba	-	Member.....	
19. Sen. Foster Ogola	-	Member.....	
20. Sen. Magnus Abe	-	Member.....	
21. Sen. Baba Kaka Garbai	-	Member.....	
Ngozi Nkemdirim (Mrs)	-	Committee Clerk.....	

{SB. 707}

A BILL

FOR

AN ACT TO ESTABLISH THE FEDERAL COLLEGE OF FORESTRY TECHNOLOGY AND RESEARCH, AKAMKPA, TO PROVIDE FULL-TIME COURSES IN FORESTRY TECHNOLOGY, PRESERVATION, DEVELOPMENT AND OTHER FIELDS OF STUDIES AND TO MAKE PROVISIONS FOR THE GENERAL ADMINISTRATION OF THE COLLEGE

SPONSOR: SENATOR GERSHOM BASSEY (CALABAR SOUTH)

Enacted by the National Assembly of the Federal Republic of Nigeria as follows: [] Commencement

PRINCIPAL ACT		COMMITTEE RECOMMENDATION	REMARKS
Long Title: A Bill for an Act to Establish the Federal College of Forestry Technology and Research, Akamkpa, to Provide Full-Time Courses in Forestry Technology, Preservation, Development and Other Fields of Studies and to Make Provisions for the General Administration of the College.		Long Title: A Bill for an Act to Establish the Federal College of Forestry Technology and Research, Akamkpa, to Provide Full-Time Courses in Forestry Technology, Preservation, Development and Other Fields of Studies and to Make Provisions for the General Administration of the College.	
1. Establishment of Federal College of Forestry, Akamkpa. There is hereby established the Federal Institute of Forestry, Akamkpa specified in the First Schedule to this Act (in this Act severally referred to as "the College") which shall have such powers and exercise such functions as are specified in this Act.		Retained as in the Bill.	
2. Functions of the College The functions of the college shall be: (a) to provide full-time and part-time courses in forestry technology training and award National and Higher National Diploma; (b) to carry out research, training, extension and dissemination of findings in forestry technology, development, applied science, commerce and management; and (c) to improve genetic resources of forest trees and ecosystem for economic development; (d) to improve silvicultural practices relating to forest trees of economic importance; (e) to research on the control of pest and diseases of forest trees; (f) to conduct research into the different suitable biological materials and appropriate methods of control of ecological and environmental problems of the country in respect to desertification, soil erosion and deforestation;		Retained as in the Bill.	

(g) to make suitable arrangements for the application of the result of the research work by the Federal, State governments and the private sector for the economic development of Nigeria; (h) to carry out such other fields of applied learning relevant to the needs of the development of Nigeria in the area of industrial and agricultural production and distribution and for research in the development and adaptation of forestry techniques as the Council may from time to time determine; (i) to arrange conferences, seminars and study groups relative to the fields of learning specified in section 2; (j) to perform such other functions as in the opinion of the Council may serve to promote the objectives of the college.	
3. Establishment and constitution of the Council, etc: (1) There shall be established for the college a Council (hereafter in this Act referred to as "the Council") which shall be a body corporate with perpetual succession and a common seal and may sue and be sued in its corporate name. (2) The Council shall consist of a Chairman and the following other members, that is: (a) one person to represent the Ministry of Education; (b) one person to represent the Ministry of Agriculture; (c) one person with requisite knowledge and training in forestry technology; (d) one person to represent professional bodies whose disciplines are taught at the college; (e) one person selected from a Federal or State public utility statutory corporation; (f) one person of standing in the community where the college is situate; (g) the Rector of the college; (h) one representative of the Permanent Secretary of the Ministry charged with responsibility for matters relating to commerce and industries; (i) one representative of the academic board of the college; (j) one representative of the State Commissioner of Education; and (k) five other persons, at least one of whom shall be a woman, to be selected each on his personal merit based on his contribution to either the development of forestry technology or commerce or special interest in technical education. (3) The Chairman and members of the Council other than ex-officio members shall be appointed by the President. (4) The provisions set out in the Schedule to this Act shall apply in relation to the constitution of the Council and the other matters therein specified.	Retained as in the Bill.
4. Visitation: (1) The Minister of Education shall be the Visitor to the College. (2) The Visitor shall, not less than once in every five years, conduct a visitation of the college or appoint a Visitation Panel, consisting of not less than five experts to conduct the visitation: (a) for the purpose of evaluating the quality of research, academic and administrative performance of the college; (b) for such other purpose or in respect of any other affairs of the college as the Visitor may deem fit.	Retained as in the Bill.

5. Registrar of the college: (1) There shall be a Registrar of the college who shall be responsible to the Rector and the day-to-day administration of the college and shall perform such other duties from time to time as may be required of him. (2) The Registrar shall be the secretary to the Council, the Academic Board and any committee of the Council and shall attend all the meetings of those bodies unless excused for good reason by the chairman of the Council. (3) In the absence of the Registrar, the Chairman of the Council may, after consultation with the Rector, appoint a suitable person to act as secretary for any particular meeting of the Council. (4) The secretary to the Council who is appointed to act under subsection (3) of this section, shall not vote on any question before the Council or count towards a quorum unless he is so entitled as a member of the Council.	Retained as in the Bill.	
6. Tenure of office of the Registrar (1) A Registrar: (a) shall hold office for a period of five years beginning from the effective date of his appointment and on such terms and conditions as may be specified in the letter of his appointment; and (b) may be re-appointed for one further period of five years and no more. (2) Where on the commencement of this section, a Registrar has held office: (a) for five years or less, he shall be deemed to be serving his first term of office and may be re-appointed for a further term of five years; (b) for more than five years but less than ten years, he shall complete the maximum period of ten years and thereafter relinquish his post and be assigned other duties in the college; (c) for ten years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the college.		
7. General functions of the Council: (1) Subject to provision of this Act, the Council shall be the governing body of the college concerned and shall have the general management of the affairs of the college, and in particular, the control of the property and finances of the college; and shall also have power to do anything which in its opinion is calculated to facilitate the carrying out of the activities of the college and promote its best interests. (2) The Council may acquire and hold such movable or immovable property as may be necessary or expedient for carrying into effect the provisions of this Act, and for the same purpose may sell, lease, and mortgage or otherwise alienate or dispose of any property so acquired. (3) The Council may enter into such contracts as may be necessary or expedient for carrying into effect the provisions of this Act. (4) The Minister may give to the Council directions of a general character or relating generally to particular matters (but not any individual person or case) with regard to the exercise by the Council of its functions and it shall be the duty of the Council to comply with the directions.	Retained as in the Bill.	
8. The Rector: (1) There shall be a Rector of the college who shall be appointed by the President in accordance		

STAFF

with the provisions of this section. (2) Where a vacancy occurs in the post of Rector, the Council shall: (a) advertise the vacancy in a reputable journal or widely read newspaper in Nigeria, specifying: (i) the qualities of the person who may apply for the post; and (ii) the terms and conditions of service applicable to the post, and thereafter, draw up a short list of suitable candidates for consideration; (b) constitute a Search Team consisting of: (i) a member of the Council, not being a member of the Academic Board, as Chairman; (ii) two members of the Academic Board, not below the rank of Chief Lecturer; (iii) Two members of the Academic Community of the college not below the rank of Chief Lecturer, to be selected by Council, to identify and draw up a short list of persons who are not likely to apply on their own volition because they feel that it is not proper to do so. (3) A Joint Council and Academic Board Selection Board consisting of: (a) the Chairman of the Council; (b) two members of the Council not being members of the Academic Board; (c) two members of the Academic Board not below the rank of Chief Lecturer, who were not members of the Search Team, shall consider the candidates on the short list drawn up under subsection (2) of this section through an examination of their curriculum vitae and interaction with them and recommend, through the Council, to the President, three candidates for his consideration. (4) The President shall appoint, as Rector, one of the candidates recommended to him under the provisions of subsection (3) of this section. (5) Subject to this Act and the general control of the Council, the Rector shall be the Chief Executive of the college and shall be charged with responsibility for matters relating to the day-to-day management operations of the college. (6) The Rector: (a) shall hold office for a period of four years beginning with the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; (b) may be re-appointed for a further period of four years and no more. 9. Deputy Rector: (1) There shall be for the college a Deputy Rector. (2) The Council shall appoint the Deputy Rector from among the chief lecturers in the college in one of the following ways: (a) from a list of three candidates, in order of preference, submitted by the Rector; (b) on the recommendation of a Selection Board constituted under this section for that purpose; (c) on the nomination of the Rector. (3) The Selection Board referred to in subsection (2) of this section shall: (a) consist of: (i) the Chairman of the Council; (ii) the Rector; (iii) two members of the Council not being members of the Academic Board; (iv) two members of the Academic Board; and	Retained as in the Bill.
9. Deputy Rector: (1) There shall be for the college a Deputy Rector. (2) The Council shall appoint the Deputy Rector from among the chief lecturers in the college in one of the following ways: (a) from a list of three candidates, in order of preference, submitted by the Rector; (b) on the recommendation of a Selection Board constituted under this section for that purpose; (c) on the nomination of the Rector. (3) The Selection Board referred to in subsection (2) of this section shall: (a) consist of: (i) the Chairman of the Council; (ii) the Rector; (iii) two members of the Council not being members of the Academic Board; (iv) two members of the Academic Board; and	Retained as in the Bill.

(b) make such inquiries as it deems fit before making the commendation required under that subsection. (4) The Deputy Rector: (a) shall assist the Rector in the performance of his functions; (b) act in the place of the Rector when the post of Rector is vacant or if the Rector is for any reason absent or unable to perform his functions as Rector; and (c) perform such other functions as the Rector may, from time to time, assign to him. (5) The Deputy Rector: (a) shall hold office for a period of two years beginning from the effective date of his appointment and on such terms and conditions as may be specified in his letter of appointment; and (b) may be re-appointed for one further period of two years and no more.			
10. Other principal officers of the college: (1) There shall be for the college the following other principal officers in addition to the Registrar, that is: (a) the Bursar; and (b) the college Librarian, who shall be appointed by the Council on the recommendation of the Selection Board constituted under section 9 (b) of this Act. (2) The Bursar shall be the Chief Financial Officer of the college and be responsible to the Rector for the day to day administration and control of the financial affairs of the college. (3) The college Librarian shall be responsible to the Rector for the administration of the college library and the co-ordination of the library services in the teaching units of the college. (4) The Bursar or Librarian: (a) shall hold office for a period of five years in the first instance and on such terms and conditions as may be specified in his letter of appointment; (b) may be re-appointed for a further period of five years and no more. (5) Where on the commencement of this section, a Bursar or Librarian has held office: (a) for five years or less, he shall be deemed to be serving his first term of office and may be reappointed for a further term of five years; (b) for more than five years but less than ten years, he shall complete the maximum period of ten years and thereafter relinquish his post and be assigned other duties in the college; (c) for ten years or more, the Council may allow him to serve as Registrar for a further period of one year only and thereafter he shall relinquish his post and be assigned other duties in the college.	Retained as in the Bill.		
11. Resignation of appointment of principal officers: A principal officer may resign his appointment: (a) in the case of the Rector, by notice to the Visitor; (b) in any other case, by notice to the Council.	Retained as in the Bill.		
12. Selection Board for other principal officers (1) There shall be, for each college, a Selection Board which shall consist of: (a) the chairman of the Council; (b) the Rector;	Retained as in the Bill.		

(c) four members of the Council not being members of the Academic Board; (d) two members of the Academic Board. (2) The functions and procedure and other matters relating to the Selection Board constituted under subsection (1) of this section shall be as the Council may, from time to time, determine.		
13. Other employees of the college (1) The Council may appoint such other persons to be employees of the college as the Council may determine to assist the Rector and the principal officers of the college in the performance of their functions under this Act. (2) The power to appoint all other employees of the college shall be exercised: (a) in the case of senior employees, by the Council on the recommendation of the Appointment and Promotions Committee set up under the provisions of paragraph 3 (2) (a) of the Schedule to this Act". (b) in the case of junior employees, by the Rector on the recommendation of the Junior Staff Appointments and Promotions Committee constituted under paragraph 3 (2) (b) of the schedule to this Act. (3) Subject to the provisions of this Act, the remuneration, tenure of office and conditions of service of the employees of the Council shall be determined by the Council in consultation with the Federal Civil Service Commission.	Retained as in the Bill.	
14. Application of the Pensions Act: (1) The Federal Civil Service Commission may by order published in the Federal Gazette declare the office of the Rector or any other person employed by the Council to be a pensionable office for the purposes of the Pensions Act. (2) Nothing in the provisions of subsection (1) of this section shall prevent the appointment of any person to any office on terms which preclude the grant of a pension or gratuity in respect of service in that office.	Retained as in the Bill.	
ESTABLISHMENT OF THE ACADEMIC BOARD 15. The Academic Board: (1) There shall be established for each college a board to be known as the Academic Board which shall consist of the following members: (a) the Rector of the college, as the Chairman; (b) the Deputy-Rector of the college; (c) all Heads of Departments; (d) the college Librarian; and (e) not more than two members of the academic staff, other than heads of departments, who may be appointed by the Academic Board. (2) The Academic Board shall be responsible for: (a) the direction and management of academic matters of the college including the regulation of admission of students, the award of certificates and diplomas, scholarships, prizes and other academic distinctions; (b) the making to the Council of such periodic reports on such academic matter as the Academic Board may think fit or as the Council may from time to time direct; and	Retained as in the Bill.	

(c) the discharge of any other functions which the Council may delegate to it.		
TENURE OF OFFICE		
16. Removal from office of members of the Council and the Rector:		
(1) If it appears to the Council that a member of the Council (other than an ex-officio member) or the Rector should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall make a recommendation to that effect to the President, and if the President, after making such inquiries as he considers necessary, approves the recommendation, the President, shall, in writing, declare the office of such member vacant.	Retained as in the Bill.	
(2) The President may remove any member of the Council if he is satisfied that it is not in the public interest or in the interest of the college that such member should continue as a member of the Council.		
17. Removal and discipline of academic, administrative and technical staff:		
(1) If it appears to the Council that there are reasons for believing that any person employed as a member of the academic, administrative or technical staff of the college, other than the Rector, should be removed from office on the ground of misconduct or inability to perform the functions of his office, the Council shall: (a) give notice of those reasons to the person in question; (b) afford him an opportunity of making representations in person on the matter to the Council; and (c) if he or any three members of the Council so request within the period of one month beginning with the date of the notice, make arrangements: (i) if he is an academic staff, for a joint committee of the Council and the Academic Board to investigate the matter and to report on it to the Council; or (ii) for a committee of the Council to investigate the matter, where it relates to any other member of the staff of the college and to report on it to the Council; and (iii) for the person in question to be afforded an opportunity of appearing before and being heard by the investigating committee with respect to the matter, and if the Council, after considering the report of the investigating committee, is satisfied that the person in question should be removed as aforesaid, the Council may so remove him by an instrument in writing signed on the directions of the Council. (2) The Rector may, in a case of misconduct by a member of the staff which in the opinion of the Rector is prejudicial to the interests of the college, suspend such member and any such suspension shall forthwith be reported to the Council. (3) For good cause, any member of staff may be suspended from office or his appointment may be terminated by the Council, and for the purpose of this subsection, "good cause" means: (a) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit for the discharge of the functions of his office; (b) any physical or mental incapacity which the Council, after obtaining medical advice, considers to be such as to render the person concerned unfit to continue to hold his office; (c) conduct of a scandalous or other disgraceful nature which the Council considers to be such	Retained as in the Bill.	

as to render the person concerned unfit to continue to hold his office; or (d) conduct which the Council considers to be such as to constitute failure or inability of the person concerned to discharge the functions of his office or to comply with the terms and conditions of his service. (4) Any person suspended pursuant to subsection (2) or (3) of this section, shall be placed on half pay and the Council shall before the expiration of the period of three months after the date of such suspension consider the case against that person and come to a decision as to: (a) whether to continue such person's, suspension and if so on what terms (including the proportion of this emoluments to be paid to him); (b) whether to reinstate such person, in which case the Council shall restore his full emoluments to him with effect from the date of suspension; (c) whether to terminate the appointment of the person in question, in which case such a person, will not be entitled to the proportion of his emoluments withheld during the period of suspension; or (d) whether to take such lesser disciplinary action against such person (including the restoration of such proportion of his emoluments that might have been withheld) as the Council may determine, and in any case where the Council, pursuant to this section, decides to continue a person's suspension or decides to take further disciplinary action against a person, the Council shall before the expiration of a period of three months from such decision come to a final determination in respect of the case concerning any such person. (5) It shall be the duty of the person by whom an instrument of removal is signed in pursuance of subsection (1) of this section, to use his best endeavours to cause a copy of the instrument to be served as soon as reasonably practicable on the person to whom it relates. (6) Nothing in the foregoing provisions of this section shall prevent the Council from making such regulations for the discipline of other categories of staff and workers of the college as it may think fit.	
DISCIPLINE 18. Discipline of students: (1) Subject to the provisions of this section, where it appears to the Rector that any student of the college has been guilty of misconduct, the Rector may, without prejudice to any other disciplinary powers conferred on him by this Act or regulations made hereunder direct: (a) that the student shall not during such period as may be specified in the direction, participate in such activities of the college, or make use of such facilities of the college, as he may specify; (b) that the activities of the student shall, during such period as may be specified in the directions, be restricted in such manner as may be so specified; (c) that the student be suspended for such period as may be specified in the directions; or (d) that the student be expelled from the college. (2) Where there is temporarily no Rector or where the Rector refuses to apply any disciplinary measures, the Council, either directly or through some other staff, may apply such disciplinary actions as are specified in subsection (1) of this section to any student of the college who is	Retained as in the Bill.

guilty of misconduct. (3) Where a direction is given under subsection (1) (c) or (d) of this section in respect of any student, the student may, within a period of 21 days from the date of the letter communicating the decision to him, appeal from the direction to the Council; and where such an appeal is brought, the Council shall, after causing such inquiry to be made in the matter as the Council considers just, either confirm or set aside the direction or modify it in such manner as the Council may think fit. (4) The fact that an appeal from a direction is brought in pursuance of subsection (3) of this section shall not affect the operation of the direction while the appeal is pending. (5) The Rector may delegate his power under this section to a disciplinary committee consisting of such members of the college as he may nominate. (6) Nothing in this section shall be construed as preventing the restriction or termination of a student's activities at the college otherwise than on the ground of misconduct. (7) It is hereby declared that a direction under subsection (1) (a) of this section may be combined with a direction under subsection (1) (b) of this section. (8) In all cases under this section, the decision of the Council shall be final.	
19. Discipline of junior staff (1) If any junior staff is accused of misconduct or inefficiency, the Rector may suspend him for not more than three months and forthwith shall direct the Junior Staff Appointments and Promotions Committee: (a) to consider the case; and (b) to make recommendations as to the appropriate action to be taken by the Rector. (2) In all cases under this section, the officer shall be informed of the charge against him and shall be given reasonable opportunity to defend himself. (3) The Rector may, after considering the recommendation made pursuant to subsection (1) (b) of this section, dismiss, terminate, retire or down-grade the officer concerned. (4) Any person aggrieved by the Rector's decision under subsection (3) of this section, may within a period of 21 days from the date of the letter communicating the decision to him, address a petition to the Council to reconsider his case and the Council's decision thereon shall be final. (5) In any case of gross misconduct on the part of a junior staff, the Rector shall forthwith suspend him and thereafter refer the matter to the Junior Staff Appointments and Promotions Committee to be dealt with according to the foregoing provision of this section.	Retained as in the Bill.
FINANCIAL PROVISIONS 20. Audits of accounts: (1) Each Council shall keep proper accounts and proper records in relation thereto and shall cause to be prepared, not later than 1 October in each financial year, an estimate of its revenue and expenditure for the ensuing financial year and when prepared, the estimate shall be submitted to the National Board for Technical Education for approval. (2) At the end of each financial year but not later than 30 June the Council shall cause to be prepared a statement of its income and expenditure during the previous financial year. (3) The statement of accounts referred to in subsection (2) of this section shall, when certified by the Rector, be audited by a firm of auditors appointed from the list and in accordance with the	Retained as in the Bill.

guidelines supplied by the Auditor-General of the Federation and shall be published in the annual report of the college.		
21. Funds of the Council: The funds of the Council shall include: (a) fees charged by and payable to the Council in respect of students; (b) any other amounts due to or recoverable by the Council; (c) revenue from time to time accruing to the Council from the Federal Government by way of subvention, grant-in-aid, endowment or otherwise howsoever; (d) donations and legacies accruing to the Council from any source for the special purpose of the Council.	Retained as in the Bill.	
22. Donations for particular purposes: (1) Donations of money to be applied to any particular purpose shall be placed to the credit of a special reserve account approved by the Council until such time as they may be expended in fulfilment of such purpose. (2) No Council shall be obliged to accept a donation for a particular purpose unless it approves of the terms and conditions attached to such donation.	Retained as in the Bill.	
23. Payment into bank: All sums of money received on account of the Council shall be paid into such bank for the credit of the Council as may be approved by the Council.	Retained as in the Bill.	
24. Annual report The Council shall on or before 31 December in each year prepare and submit to the President through the Minister, a report of the activities during the preceding financial year and shall include in the report, the audited accounts of the college in respect of that financial year and the auditors' comments on the account.	Retained as in the Bill.	
MISCELLANEOUS AND SUPPLEMENTAL		
25. Power to make bye-laws: (1) The Council may make bye-laws relating to any matter within its competence under this Act other than matters for which provision is to be made by standing orders pursuant to paragraph 7 of the Schedule to this Act. (2) All such bye-laws shall be in writing and shall come into force when sealed with the seal of the Council unless some other date for their commencement is prescribed therein. (3) Nothing in subsection (2) of this section, shall make it obligatory for the Council to publish any of the said bye-laws in the Federal Gazette but the Council shall bring such bye-laws to the notice of all affected thereby.	Retained as in the Bill.	
26. Exclusion of discrimination on account of race, religion, etc. No person shall be required to satisfy requirements as to any of the following matters, that is to say race (including ethnic grouping), sex, place of birth or of the family origin or religious or political persuasion or as a condition of becoming or continuing to be a student at the college or as a holder of any certificate of the college, or of any appointment or employment at the college, or a member of anybody established by virtue of this Act; and no person shall be subjected to any disadvantage or accorded any advantage in relation to the college by reference to any of those matters:	Retained as in the Bill.	

Provided that, nothing in this section shall be construed as preventing the college from imposing any disability or restriction on any of the aforementioned persons where such a person willfully refuses or fails on grounds of religious belief to undertake any duty generally and uniformly imposed on all such persons or any group of them which duty, having regard to its nature and the special circumstances pertaining thereto is, in the opinion of the college, reasonably justifiable in the national interest.		
27. Quorum and procedure of bodies established under this Act: Subject to the provisions of paragraph 6 (2) of the Schedule to this Act and any standing orders or bye-law made under this Act, the quorum and procedure of any body of persons established by this Act shall be such as may be determined by that body.	Retained as in the Bill.	
28. Interpretation In this Act, unless the context otherwise requires: "The Academic Board" means the board establish under section 10 of this Act" "The Appointments and Promotions Committee" means a body by that name established under paragraph 3 (2) (a) of the Schedule to this Act; "College" means the Federal college of Forestry Technology and Research, Akamkpa "The Junior Staff Appointments and Promotion Committee" means a body by that name set up under paragraph 3 (2) (b) of the Schedule to this Act; "The Minister" means the Minister charged with responsibility for matters relating to technical education; "The Registrar" means the Registrar of Federal college of Forestry Technology and Research, Akamkpa appointed under section 4 (1) of this Act.	Retained as in the Bill.	
29. Short title: This Bill may be cited as the Federal College of Forestry, Akamkpa (Establishment, etc.) Bill, 2018.	Retained as in the Bill.	
SCHEDULE [Section 7] PUBLIC OFFICERS FOR THE PURPOSES OF THE CODE OF CONDUCT SUPPLEMENTARY PROVISIONS RELATING TO THE COUNCIL Terms of office of members 1. (1) A member of the Council other than an ex-officio member shall hold office for a period of three years beginning with the date on which he was appointed and shall be eligible for re-appointment for a further term of three years and thereafter he shall no longer be eligible for re-appointment. (2) Members of the Council holding office as specified in paragraph 1 (1) of this Schedule, shall be paid remuneration or allowance in accordance with rates specified from time to time by the National Council of Ministers. (3) A member of the Council holding office as specified in paragraph 1 (1) of this Schedule may by notice in writing to the Minister resign his office. 2. (1) Where a vacancy occurs in the membership of the Council, that vacancy shall be filled by the appointment of a successor to hold office for the remainder of the term of office of his	Retained as in the Bill.	

predecessor; so however that the successor shall represent the same interest as his predecessor. (2) The Council may act notwithstanding any vacancy in its membership or the absence of any member or that a person not entitled to do so took part in its proceedings.	Committees 3. (1) The Council may appoint one or more committees to which it may delegate any of its functions. (2) Without prejudice to the generality to sub-paragraph (1) of this Schedule, the Council shall appoint the following committees, that is: (a) the Appointments and Promotions Committee which shall without prejudice to section 7 (4) of this Act: (i) consist of a chairman to be appointed by the Rector from members of the senior staff of the college and four other members who shall be appointed by the Council; (ii) be charged with the responsibility for making recommendations to the Council on the appointment and promotion of the academic and senior staff of the college and have a quorum of three members; (b) the Junior Staff Appointments and Promotions Committee which shall consist of a chairman and four other members to be appointed by the Council and shall have the powers set out in sections 7 (5) and 14 of this Act" (c) the Committee on Students' Affairs which shall consist of the following members: (i) a chairman who shall be appointed by the Rector from among the senior employees of the college; (ii) one member of the Council; (iii) two members of the academic staff of the college; and (iv) four students of the college, and the Committee on Students' Affairs shall be charged with the duty of: (i) considering any matter which relates to the welfare of students; (ii) any other matter referred to it by either the Council or students of the college; (iii) any matter which the students wish to refer to the Council shall be referred to the Committee on Student's Affairs in the first instance. (3) No decision of a committee shall have effect unless it is confirmed by the Council.	Proceedings of the Council 4. (1) The Council shall meet for the conduct of business at such times as the chairman of the Council may appoint but shall meet not less than twice in a year. (2) The chairman of the Council may at any time and shall at the request in writing of not less than five members of the Council summon a meeting of the Council. (3) Particulars of the business to be transacted shall be circulated to members with the notice of the meeting at least two weeks before the date of the meeting. 5. Where the Council desires to obtain the advice of any person on any particular matter, it may co-opt such person as a member for a meeting whether or not expressly convened for the purpose of considering the particular matter but no co-opted member shall be entitled to vote or shall count towards quorum. 6. (1) Every question put before the Council at a meeting shall be decided by a simple majority of the members present and voting.
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(2) Seven members shall form a quorum at any meeting of the Council. (3) The Chairman shall at any meeting of the Council, have a vote and, in the case of an equality of votes, may exercise a casting vote. 7. Subject as aforesaid, the Council may make standing orders with respect to the holding of meetings, the nature of notices to be given, the proceedings thereat, the keeping of minutes of such proceedings and the custody and production for inspection of such minutes. 8. If the Chairman of the Council is absent from a meeting of the Council, the members present shall elect one of their number to act as chairman for the purposes of that meeting.		
Miscellaneous 9. Any contract or instrument which if entered into by a person not being a body corporate would not be require to be under seal, may n like manner be entered into or executed on behalf of the Council by any person generally or specifically authorized by it for that purpose. 10. (1) The common seal of the Council shall not be used or affixed to any document except in pursuance of a resolution duly passed at a properly constituted meeting of the Council and recorded in the minutes of such meeting. (2) The fixing of the seal of the Council shall be authenticated by the signature of the chairman of the Council and some other members authorized generally or specifically by the Council to act for that purpose. (3) Any document purported to be a document duly executed under the seal of the Council shall be received in evidence and shall, unless the contrary is proved, be deemed to be so executed. 11. Any member of the Council or a committee thereof who has a personal interest in any contract or arrangement entered into or proposed to be considered by the Council or a committee thereof, shall forthwith disclose his interest to the Council and shall not vote on any question relating to such contract or arrangement.	Retained as in the Bill.	
EXPLANATORY MEMORANDUM This Bill seeks to establish the Federal College of Forestry Technology and Research, Akamkpa to provide full-time courses in Forestry Technology and Development to improve genetic resources of forest trees and ecosystem for economic development and Applied Science Management and other fields of studies and to make provisions for the general administration of the College.	Retained as in the Bill.	